# **EXPLANATORY NOTES**

# ARMED FORCES ACT 2011

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#### SUMMARY AND BACKGROUND

#### OVERVIEW OF THE ACT'S STRUCTURE AND SUMMARY

# TERRITORIAL EXTENT AND APPLICATION

#### **COMMENTARY ON SECTIONS**

Section	$1 \cdot 1$	Duration	of	$\Delta F \Delta$	2006
Section	$\mathbf{I}$ : $\mathbf{I}$	Juration	OI	$A\Gamma A$	<b>2000</b>

- Section 2: Armed forces covenant report
- Section 3: Provost Marshal's duty in relation to independence of investigations
- Section 4: Inspection of service police investigations
- Section 5: Provost Marshals: appointment
- Section 6: Ministry of Defence Police: performance regulations
- Section 7: Power of judge advocate to authorise entry and search
- Section 8: Power to make provision about access to excluded material etc
- Section 9: Unfitness through alcohol or drugs
- Section 10: Exceeding alcohol limit for safety-critical duties
- Section 11: Testing for alcohol and drugs on suspicion of an offence
- Section 12: Amendments relating to new rank of lance corporal in RAF Regiment
- Section 13: Reduction in rank or rate
- Section 14: Court Martial sentencing powers
- Section 15: Increase in maximum term of detention for certain offences
- Section 16: Enforcement of financial penalties
- Section 17: Service sexual offences prevention orders

# Service sexual offences prevention orders

# **Extended prohibitions orders**

Section 18: Place of sitting o	f Service	Civilian	Court
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- Section 19: Administrative reduction in rank or rate
- Section 20: Service complaint panels
- Section 21: Persons eligible to be prosecuting officers
- Section 22: Civilians subject to service discipline
- Section 23: Protected prisoners of war
- Section 24: Byelaws for service purposes
- Section 25: Claims against visiting forces: transfer of liability
- Section 26: Judge advocates sitting in civilian courts
- Section 27: Repeal of Naval Medical Compassionate Fund Act 1915
- Section 28: Call out of reserve forces
- Section 29: Minor amendments of service legislation
- Section 30: Consequential amendments and repeals
- Section 31: Meaning of "AFA 2006"
- Section 32: Commencement
- Section 33: Extent

### **COMMENTARY ON THE SCHEDULES**

- Schedule 1 Court Martial sentencing powers
- Schedule 2 Judge advocates sitting in civilian courts
- Schedule 3 Minor amendments of service legislation
- Schedule 4 Consequential amendments
- Schedule 5 Repeals and revocations

#### TRANSPOSITION NOTES

## **COMMENCEMENT**

#### HANSARD REFERENCES